

**In the Superior Court of the State of Arizona  
In and For the County of Maricopa**

Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
D. Hill, Deputy  
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**Plaintiff's Attorney:**

Byron F Browne  
Bar Number: 030499, issuing State: AZ  
Law Firm: Browne Law Group  
366 North Gilbert Road Suite 202  
Gilbert, AZ 85234  
Telephone Number: (480)771-2442  
Email address: legal@antilawyer.com

**CV2022-095116**

**Plaintiff:**

Chandler Fernandez  
366 North Gilbert Road Suite 202  
Gilbert, AZ 85234

**Defendants:**

Cathan Cornelius  
1871 East Del Rio Dr.  
Tempe, AZ 85282

The Church of Jesus Christ of Latter-Day S  
50 E North Temple  
Salt Lake City, UT 84150

Discovery Tier t3

Case Category: Tort Motor Vehicle  
Case Subcategory: Non-Death/Personal Injury

AZTurboCourt.gov Form Set #7420968

ORIGINAL

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*Attorney for Plaintiff*

**IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**  
**IN AND FOR THE COUNTY OF MARICOPA**

Chandler Fernandez,

Plaintiff,

vs.

Cathan Cornelius, an individual; and The  
Church of Jesus Christ of Latter-Day  
Saints; a Utah corporation, et al.,

Defendants.

Case No.: CV2022-095116

**REPLACEMENT SUMMONS TO  
DEFENDANT THE CHURCH OF  
JESUS CHRIST OF LATTER-DAY  
SAINTS**

(Assigned to Honorable Stephen  
Hopkins) If you would like legal advice from a lawyer,  
Contact the Lawyer Referral Service at

602-257-4434

or

[www.maricopalawyers.org](http://www.maricopalawyers.org)

Sponsored by the  
Maricopa County Bar Association

**THE STATE OF ARIZONA TO THE DEFENDANTS:**

YOU ARE HEREBY SUMMONED and required to appear and defend against the  
complaint, which is herewith served upon you, within twenty (20) days, exclusive of the  
day of service, after service of this summons upon you if served within the State of  
Arizona. If served outside of the State of Arizona, you must appear and defend within  
thirty (30) days, exclusive of the day of service. If you fail to do so, judgement by default  
will be taken against you for the relief demanded in the complaint.

1 e name and address of the Plaintiffs attorney is:

2 Byron F. Browne (030499)  
3 Browne Law Group  
4 366 North Gilbert Rd, Suite 201  
5 Gilbert, Arizona 85234  
6 480-771-2442

7 **REQUESTS FOR RESONABLE ACCOMODATION FOR PERSONS WITH**  
8 **DISABILITIES MUST BE MADE TO THE DIVISION ASSIGNED TO THE CASE**  
9 **BY PARTIES AT LEAST THREE (3) JUDICIAL DAYS IN ADVANCE OF A**  
10 **SCHEDULED COURT PROCEEDING.**

11 **REQUESTS FOR AN INTERPRETER FOR PERSONS WITH LIMITED**  
12 **ENGLISH PROFIECENY MUST BE MADE TO THE DIVISION ASSIGNED TO**  
13 **THE CASE BY THE PARTY NEEDING THE INTERPRETER AND/OR**  
14 **TRANSLATOR OR HIS/HER COUNSEL AT LEAST TEN (10) JUDICIAL DAYS**  
15 **IN ADVANCE OF A SCHEDULED COURT PROCEEDING.**

16  
17  
18 **SIGNED AND SEALED** this Date: DEC 29 2022

19 **JEFF FINE, CLERK**

20 By: \_\_\_\_\_

21 **Clerk of Superior Court**

22 **C. Chavez**



Clerk of the Superior Court  
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*Attorney for Plaintiff*

**IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**  
**IN AND FOR THE COUNTY OF MARICOPA**

Chandler Fernandez,

Plaintiff,

vs.

Cathan Cornelius, an individual; and The  
Church of Jesus Christ of Latter-Day  
Saints; a Utah corporation, et al.,

Defendants.

Case No.: CV2022-095116

**COMPLAINT**

(Tort/Motor Vehicle)

(Tier 3)

Plaintiff, Chandler Fernandez, by and through counsel undersigned, for his Complaint  
alleges as follows:

**JURISDICTIONAL ALLEGATIONS**

1. This action is brought pursuant to 28 U.S.C. § 1332. Jurisdiction is based upon  
28 U.S.C. § 1441.

2. Venue in this district is proper because all facts pled and all acts and omissions  
giving rise to the Complaint occurred in Maricopa County, in the District of Arizona.



7. Defendant Cornelius was employed with Defendant LDS when he struck Plaintiff Fernandez causing significant injuries to Plaintiff. Defendant Cornelius is being sued in his individual capacity.

10. Plaintiff was riding his bicycle on the sidewalk of Southern Avenue, as there is no available bicycle lane at that location.

1           11. As Plaintiff was attempting to ride through the crosswalk of Hardy Drive,  
2 Defendant Cornelius accelerated to turn right, collided with the Plaintiff, and then ran the  
3 Plaintiff over.

4           12. Plaintiff has suffered permanent injuries, loss of enjoyment of life, suffered  
5 loss of past and future household services, expenses for medical care and treatment, and  
6 incurred expenses incidental thereto.  
7

8  
9                                   **COUNT ONE – NEGLIGENCE**

10                   **(Defendants Cornelius and The Church of Jesus Christ of Latter-Day Saints)**

11           13. Plaintiff re-alleges and incorporates herein by this reference Paragraphs 1  
12 through 12 of his Complaint as though expressly set forth herein.

13           14. Defendant Cornelius owed a duty of care to Plaintiff to operate his vehicle in  
14 a reasonable and prudent manner to avoid a collision with Plaintiff.

15           15. Defendant Cornelius breached the duty of care to Plaintiff, causing the  
16 collision and causing bodily injury to Plaintiff by failing to exercise due care in the operation  
17 of his vehicle.  
18

19           16. Defendant LDS breached its duty of care to Plaintiff, causing injuries to  
20 Plaintiff.  
21

22           17. As a result of the collision caused by Defendants' negligence, Plaintiff  
23 incurred expenses for medical treatment and expenses for related treatment and care as a  
24 result of injuries sustained in this collision, and he will continue to incur such expenses in  
25 the future.  
26



1           18. As a result of the collision caused by Defendants' negligence, Plaintiff suffered  
2 pain and suffering, inconvenience, curtailment of his usual activities, loss of enjoyment of  
3 life, great pain of body and mind, inconvenience, loss of enjoyment, and pain and suffering  
4 in the future.

5  
6                           **COUNT TWO - NEGLIGENCE PER SE**  
7                           **(ALL DEFENDANTS)**

8           19. Plaintiff re-alleges and incorporates herein by this reference Paragraphs 1  
9 through 18 of his Complaint as though expressly set forth herein.

10           20. Defendant Cornelius owed a duty of care to Plaintiff, along with other  
11 motorists on the roadway, to operate his vehicle in a reasonable and safe manner, in  
12 accordance with, and respecting Arizona's traffic laws, in such a manner as to not create a  
13 hazard for motorists on the roadway.

14           21. Defendants' breach of that duty of care constitutes violation of A.R.S. § 28-  
15 701 (reasonable & prudent speed).

16           22. These violations were the direct and proximate cause of Plaintiff's injuries and  
17 damages.

18                           **COUNT THREE**  
19                           **(Respondeat Superior)**  
20                           **(The Church of Jesus Christ of Latter-Day Saints)**

21           23. Plaintiff re-alleges and incorporates herein by this reference Paragraphs 1  
22 through 22 of his Complaint as though expressly set forth herein.

1           24. Defendant LDS is responsible for the actions of its employees pursuant to the  
2 doctrine of *respondeat superior*.

3           **WHEREFORE**, Plaintiff pays for Judgment against Defendants as follows:

- 4                   a) For general damages, in an amount to be proven at trial.  
5                   b) For special damages, in an amount to be proven at trial.  
6                   c) For reasonable attorney's fees and costs; and interest at the statutory  
7 rate; and  
8  
9                   d) For such other and further relief as this Court deems proper.

10           **RESPECTFULLY SUBMITTED** this 21<sup>st</sup> day of November, 2022.

11  
12                                   **BROWNE LAW GROUP**

13  
14                                   By: /s/ Byron Browne

15                                   Byron F. Browne (030499)  
16                                   366 North Gilbert Rd, Suite 201  
17                                   Gilbert, Arizona 85234  
18                                   Attorney for Plaintiff  
19  
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**BROWNE LAW GROUP**  
PERSONAL INJURY ATTORNEYS





Clerk of the Superior Court  
\*\*\* Electronically Filed \*\*\*  
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Person/Attorney Filing: Byron F Browne  
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[ ☐ ] Representing Self, Without an Attorney  
(If Attorney) State Bar Number: 030499, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

Chandler Fernandez  
Plaintiff(s),

Case No. CV2022-095116

v.

Cathan Cornelius, et al.  
Defendant(s).

**CERTIFICATE OF  
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Maricopa County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Byron F Browne /s/  
Plaintiff/Attorney for Plaintiff

Byron F. Browne (030499)  
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*Attorney for Plaintiff*

**SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

CHANDLER K. FERNANDEZ, a single  
individual,

Plaintiff,

vs.

CATHAN DEAN CORNELIUS, an  
individual; and THE CHURCH OF JESUS  
CHRIST OF LATTER-DAY SAINTS; a  
Utah corporation, et al.,

Defendants.

Case No.: CV2022-095116

**ACCEPTANCE OF SERVICE TO  
DEFENDANTS CATHAN DEAN  
CORNELIUS AND THE CHURCH OF  
JESUS CHRIST OF LATTER-DAY  
SAINTS**

**(Assigned to the Honorable Roger  
Brodman)**

I, John M. Gregory, Esq., counsel for Defendants, am authorized to accept service on behalf of Defendants Cathan Dean Cornelius and The Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole, in lieu of formal service of process (service by a process server or sheriff), and understand by accepting these papers, it is the same as if the Defendants were personally served under Rule 4.1(d)(3) and (i) of the Arizona Rules of Civil Procedure.

Defendants Cathan Dean Cornelius and The Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole, retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Summons or the service of the Summons.



DATED this 12<sup>th</sup> day of January, 2023.

JONES, SKELTON & HOCHULI, PLC

By: 

John M. Gregory  
40 North Central Ave., #2700  
Phoenix, Arizona 85004  
*Attorney for Defendants*

**FILED** this 17<sup>th</sup> day of January, 2023,  
via AZTurbo Court

Maricopa County Superior Court  
201 W. Jefferson Street  
Phoenix, Arizona 85003

**COPY** emailed this same date to:

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Phoenix, Arizona 85004

By: /s/ Donna Evans – donna@antilawyer.com

